

DRAFT MITIGATED NEGATIVE DECLARATION

The following proposed project has been reviewed, pursuant to the provisions of Resolution No. 3231, as amended, of the City Council of the City of Fremont for the purpose of determining the likelihood of a significant adverse environmental impact occurring as a result of project completion.

NAME OF PROJECT: Dr. Sandhu Residence

PROJECT NO.: PLN2011-00028

DESCRIPTION OF PROJECT: The applicant requests approval of a an application for a Conditional Use Permit and Preliminary Grading Plan to allow the construction of a new 9,976 square foot single-family dwelling (including the garage) and associated site improvements on a vacant ±80-acre lot within the Hill Area of the City of Fremont at the easterly terminus of East King Avenue. The proposed homesite is located roughly in the middle of the property at an approximate elevation of 365 feet above sea level. The proposed house plan features 5 bedrooms, a 4-car garage, and various common living spaces on the ground floor, with an observatory and balcony on the second floor

LOCATION OF PROJECT: Vacant parcel at easterly terminus of East King Avenue, Fremont, 94536 (APN: 507-0124-027-02 and 507-0124-028-00)

GEOGRAPHIC LOCATION WITHIN CITY: Niles Planning Area, on border between the City of Fremont and the City of Union City

NAME OF AUTHORIZED AGENT OF APPLICANT: Archevon, Inc. (Kartik Patel, Architect – agent)

MAILING ADDRESS OF APPLICANT OR AGENT: 991 Montague Expressway, Suite #208, Milpitas, CA 95035

TYPE OF ENTITLEMENTS SOUGHT: Conditional Use Permit for a new single-family dwelling on land designated as Open Space; Preliminary Grading Plan

EXPLANATION OF REASONS FOR THE FINDING: The Lead Agency has determined that the proposed project could have potentially significant impacts on air quality and biological resources, and on the geological stability of the site due to the potential for landslides to occur during a seismic event. However, mitigation listed in the Initial Study has been incorporated into the project which will reduce all potentially significant impacts to a less-than-significant level. These measures include implementation of a dust control plan during all grading and construction activities, pre-construction site surveys and consultations with a qualified wildlife biologist and botanist, and the incorporation of recommendations from the consulting geotechnical engineer into the project's structural/foundation design.

Public Hearing: The Planning Commission is scheduled to consider this project at its August 25, 2011 public hearing. Planning Commission hearings are held in the City Council Chambers located at 3300 Capitol Avenue, Fremont, 94538. Copies of all environmental documents are available for review at the Planning Division located at 39550 Liberty Street, 1st Floor, Fremont, 94538.

Any comments as to whether this draft Mitigated Negative Declaration should become final or whether an EIR should be prepared for the project must be submitted within 20 days of the posting of this draft Mitigated Negative Declaration. **The comment period begins July 25, 2011 and ends August 24, 2011.**

If this draft Mitigated Negative Declaration becomes final by any approval agency other than the City Council, any person who wishes to protest such final action must do so within ten days of the date it becomes final by the filing of a written protest with the City Clerk and by payment of the required protest fee. If this draft Mitigated Negative Declaration becomes final by City Council action, any person who disagrees with Council action may seek judicial review.

Posted within the Development Services Center on July 25, 2011.

Notice of Determination to be sent to:

<input checked="" type="checkbox"/>	Posting of Notice	<input checked="" type="checkbox"/>	County Clerk
<input checked="" type="checkbox"/>	Mailed to owners of contiguous property	<input checked="" type="checkbox"/>	Clearinghouse
<input checked="" type="checkbox"/>	Publish notice		

IF THERE ARE ANY QUESTIONS OR COMMENTS, PLEASE CONTACT:

Stephen Kowalski	Associate Planner	(510) 494-4532
NAME	TITLE	PHONE NUMBER